

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NICOLE ERICA AINE,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF SOCIAL AND HEALTH SERVICES
et al.,

Defendants.

CASE NO. 3:23-cv-05830-DGE

ORDER GRANTING MOTION TO
SERVE SUMMONS (DKT. NO. 13)

This matter comes before the Court on Plaintiff's motion for service of summons pursuant to Federal Rule of Civil Procedure 4(c)(3). (Dkt. No. 13.) Plaintiff is proceeding pro se and in forma pauperis ("IFP"). (Dkt. No. 4.) Upon an IFP plaintiff's request, "the officers of the court shall issue and serve all process." 28 U.S.C. § 1915(d).

Federal Rule of Civil Procedure 4(c)(3) provides that at the plaintiff's request, the court may order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court. "The court must so order if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. §1915." Fed. R. Civ. P. 4(c)(3); *see Boudette v.*

1 *Barnette*, 923 F.2d 754, 757 (9th Cir. 1991) (“[A]n IFP plaintiff must request service of the
2 summons and complaint by court officers before the officers will be responsible for effecting
3 such service.”).

4 Accordingly, Plaintiff’s motion for service of summons (Dkt. No. 13) is GRANTED.
5 The Clerk shall provide a copy of this order, the second amended complaint (Dkt. No. 8),
6 Plaintiff’s motion (Dkt. No. 13) and the summonses for defendants Washington State
7 Department of Social and Health Services and Western State Hospital (Dkt. No. 16) to the
8 United States Marshal or Deputy Marshal within **seven days of the date of this order**. The
9 United States Marshal or Deputy Marshal shall personally serve Defendants with the applicable
10 summons and complaint within **30 days of the date of this order**.

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12 Dated this 20th day of November, 2023.

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David G. Estudillo
United States District Judge